

CHARGE: 402(a) (3)—when shipped, contained decomposed shrimp; and 403(e) (2)—the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 1-23-63. Default—destruction.

28755. Frozen shrimp. (F.D.C. No. 48358. S. No. 38-602 V.)

QUANTITY: 19 cases, containing 10 5-lb. ctns. each, at New Orleans, La.

SHIPPED: 10-15-62, from New York, N.Y.

LIBELED: 11-15-62, E. Dist. La.

CHARGE: 402(a) (3)—contained decomposed shrimp while held for sale.

DISPOSITION: 2-15-63. Default—destruction.

28756. Canned tuna. (F.D.C. No. 47905. S. No. 73-872 T.)

QUANTITY: 250 cases, 48 cans each, at Bronx, N.Y.

SHIPPED: 3-27-62, from Seattle, Wash., by Pacific Reefer Fisheries.

LABEL IN PART: (Can) "Moisha's Brand Tuna Fancy Pack All White Albacore * * * Net Contents 7 Oz. Avd. Packed For Moisha's New York, N.Y."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 8-1-62, S. Dist. N.Y.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents, since the label statement "Net Contents 7 Oz." was inaccurate.

DISPOSITION: 10-23-62. Consent—claimed by Pacific Reefer Fisheries, Seattle, Wash., and relabeled.

FRUITS AND VEGETABLES*

MISCELLANEOUS FRUIT PRODUCT

28757. Orange juice product. (F.D.C. No. 48305. S. No. 13-784 V.)

QUANTITY: 140 cases, 12 32-oz. btls. each, at Waukesha, Wis.

SHIPPED: 7-23-62, from Chicago, Ill., by Sunshine Juice, Inc.

LABEL IN PART: (Btl. top) "Sunshine Chilled Orange Juice * * * Sunshine Food Products, Inc., Forest View, Ill. * * * Ingredients: Orange Juice From Concentrate, Freshly Squeezed Orange Juice"; (embossed in btl.) "Contents 32 Fl. oz."

RESULTS OF INVESTIGATION: The net weight statement was molded into the glass of the bottle and was inconspicuous against the orange liquid background of the bottle's contents.

LIBELED: 10-8-62, E. Dist. Wis.

CHARGE: 403(f)—when shipped, the information required by 403(e) (2), namely, the statement of quantity of contents, was not prominently placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use.

* See also No. 28784.